CHILDSOLDIERSCAMPAIGN

Seventeen-year-old Abubakar (not his real name) was one of thousands of children abducted by the Revolutionary United Front (RUF) during the recent conflict in Sierra Leone. Abubakar took part in fighting and was often forced to commit abuses. In one instance, he and others were ordered by their commander to burn down an entire town after a counterattack on the RUF by government helicopters. “It was not my wish to go fight, it was because they captured me and forced me,” he told Human Rights Watch. “There was no use in arguing with them, because in the RUF if you argue with any commander they will kill you.”

Like Abubakar, an estimated 300,000 girls and boys under the age of eighteen were fighting in armed conflicts in approximately thirty countries. These young combatants served in government forces, pro-government militias, and armed opposition groups. Their ranks included children as young as eight recruited into Colombia’s paramilitaries, teenaged boys forcibly taken from their villages in Myanmar to serve in the national army, and young girls kidnapped by the Lord’s Resistance Army in Northern Uganda for use as soldiers and sex slaves.

In a breakthrough in efforts to end the use of child soldiers, six years of negotiations led to agreement on January 21 on a new optional protocol to the Convention on the Rights of the Child. The protocol established eighteen as the minimum age for direct participation in hostilities, for compulsory recruitment, and for any recruitment or use in hostilities by nongovernmental armed groups.

Agreement on the protocol was a tremendous achievement for the Coalition to Stop the Use of Child Soldiers, which had aggressively campaigned for a global ban on the use of children as soldiers. The coalition was founded by Human Rights Watch and five other international organizations in 1998 and subsequently grew to encompass national partners and campaigns in more than thirty countries.

The protocol marked a significant advance over previous international standards, which permitted children as young as fifteen to be legally recruited and sent to war. The new protocol established a clear standard that any use of children in war was unacceptable, and provided a critical new basis for exerting public and political pressure against governments and armed groups that use children in armed conflict.

The biggest weakness of the protocol was its failure to establish eighteen as the minimum age for voluntary recruitment into government armed forces. The protocol required states to raise the minimum age for voluntary recruitment from the previous minimum of fifteen, and to implement certain safeguards when recruiting under-eighteens including parental permission and proof of age. States were also required to deposit a binding declaration at the time of ratification stipulating the state’s minimum age for voluntary recruitment.

The coalition, along with U.N. agencies and the International Committee of the Red Cross, had consistently campaigned for a prohibition of any recruitment or participation in hostilities by children under the age of eighteen, arguing that the only way to ensure that children do not participate in war is to not recruit
them in the first place. But many governments based their positions during the negotiations on their existing military recruitment practices, and insisted on the right to continue recruiting under-age volunteers. The resulting provision created an unfortunate double-standard, allowing governments to recruit under-eighteens, but prohibiting nongovernmental armed forces from doing so.

The negotiations on the protocol were marked by a significant shift in the United States position. After six years of vigorous opposition to eighteen as the minimum age for participation in armed conflict, the U.S. reversed itself and agreed for the first time to end the deployment of U.S. troops who were under eighteen into combat and to support the protocol. This was the first time that the United States had ever agreed to change its practices in order to support a human rights standard.

The protocol was formally adopted by the U.N. General Assembly on May 25, and opened for signature in early June. By the close of the U.N. Millennium Summit, held in New York from September 6-8, sixty-eight countries had signed the new protocol, and three (Canada, Bangladesh, and Sri Lanka) had ratified it.

The coalition announced that it would campaign for universal ratification of the protocol and urge states to deposit binding declarations upon ratification setting a minimum age of at least eighteen for voluntary recruitment. It set an initial target of one hundred signatures by the first anniversary of the protocol’s adoption on May 25, 2001, and fifty ratifications by the time of the September 2001 U.N. General Assembly Special Session on Children.

During the Millennium Summit, the coalition drew attention to the use of child soldiers and the new protocol by unveiling a special “children’s war memorial” during a ceremony attended by more than twenty governments. The memorial was inscribed with the name, age, and country of scores of child soldiers killed, wounded, missing, or detained in armed conflicts around the world. Those attending the ceremony included the president of Mali, the prime ministers of New Zealand and Sweden, the first ladies of Ecuador and Norway, and representatives from fifteen other governments.

The coalition also held the fourth in a series of regional conferences on the use of children as soldiers, following previous conferences in 1999 for Africa, Latin America, and Europe. The Asia-Pacific conference was held from May 15 to 18 in Kathmandu, Nepal. Representatives of twenty-four governments (including Australia, Bangladesh, Cambodia, China, Japan, North Korea, South Korea, India, Indonesia, Kazakhstan, Laos, Nepal, Pakistan, the Philippines, Sri Lanka, and Thailand) and more than one hundred delegates from NGOs across the region attended the conference, together with representatives of UNICEF and other agencies.

The coalition released a new report at the conference on the use of children as soldiers in the region, estimating that at least 75,000 children under the age of eighteen were participating in conflicts in Asia and the Pacific, placing the region second only to Africa in the use of children as soldiers. The report named Burma as one of the largest users of child soldiers in the world, and Afghanistan, Cambodia, and Sri Lanka as some of the other worst affected countries.

The conference concluded with a strong declaration in support of the new Optional Protocol, calling on states to ratify it without reservations and specify at least eighteen years as the minimum age for voluntary recruitment. Delegates called on government armed forces and armed groups to immediately demobilize or release into safety child soldiers. They also urged tight controls on the availability of small arms, including the sanctioning of those supplying forces using children in this way.
Human Rights Watch, which had chaired the coalition since its inception, continued to play a leadership role in the global campaign to end the use of child soldiers. Human Rights Watch participated in briefings for the press, representatives of the Organization of American States, and members of the U.N. Security Council. It spoke at numerous events, including the Asia-Pacific regional conference in Kathmandu, and the International Conference on War-Affected Children, held in Winnipeg, Canada in September 2000. Human Rights Watch’s Brussels office took the lead in the coalition’s advocacy with the European Union, European Parliament, and the OSCE, and lobbied OSCE member states in favor of a strong ministerial decision on children and armed conflict.

Human Rights Watch also maintained a strong role with the U.S. Campaign to Stop the Use of Child Soldiers. It helped influence the United States’ change of position regarding the Optional Protocol and the age of deployment for U.S. troops, and worked with the Clinton administration and Congress to support U.S. ratification of the protocol. Congressional resolutions were adopted by the Senate in June, and the House of Representatives in July, urging the United States’ signature and swift consideration for ratification. President Clinton signed the protocol on July 5 at the U.N., and submitted it to the Senate later that month; at the time of this writing, the Senate Foreign Relations Committee had taken no action.